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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: COMMENTS - In the Matter of
Creation of a Low Power Radio Service
(MM Docket No. 99-25; RM-9208 and RM-9242)

Dear Ms. Salas:

East Kentucky Broadcasting Corporation hereby submits its comments in opposition to the proposed creation of a low power FM radio service. The Commission should not create a low power FM service because such a service will negatively impact small market broadcasters, will not enhance diversity, and may harm the transition to digital radio.

Because only a very few low power FM stations will fit technically in the largest markets, the creation of a low power FM service will hurt small market broadcasters the most. This seems ironic since these are specifically the type of broadcasters who bring diversity to the airwaves by serving their local communities.

Although the goal of promoting diversity is a commendable one, the Commission should focus on diversity of content, not ownership. Because the Commission may not constitutionally choose women and minorities over others to become licensees of low power FM stations, the creation of low power FM will not enhance diversity of ownership.

As for diversity of content, there has been a major increase in the variety of formats, including those targeted specifically to minority groups, since the passage of the Telecommunications Act of 1996. Contrary to often repeated fears by proponents of low power FM, consolidation has actually promoted content diversity over the airwaves. Because consolidators were confronted with several similarly formatted stations within a market, consolidators initiated new formats to distinguish each station. As such, there is more choice today than ever before.

Finally, any change to the current interference environment, or any change in the Commission's current rules concerning analog broadcasting parameters or protection requirements will

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potentially obstruct, and perhaps jeopardize altogether, the implementation of digital radio. The in-band, on-channel ("IBOC"), digital aural broadcast system is designed to introduce a digital signal within the FCC's existing emissions limitations for analog AM and FM radio by placing low power digital carriers in the upper and lower sidebands of analog transmissions. These digital carriers are set to provide a high quality digital signal without causing interference to the analog signal. This is critical because the IBOC system will not require the allocation of new spectrum for digital radio broadcasting or necessitate any change in frequency or coverage by existing analog stations in order to transition into digital radio broadcasting. The addition of any second-adjacent interference, however, as will be caused by the creation of a low power FM service, will leave the digital signal vulnerable because the IBOC system was designed to withstand interference from existing analog signals. The IBOC system may be unable to survive the additional sources of interference caused by low power FM stations. As such, the creation of a low power FM service may make the transition to digital radio broadcasting, using current IBOC technology, impossible because the FM band lacks the capacity to accommodate IBOC digital radio and low power FM.

For the foregoing reasons, the Commission should not create a low power FM service.

Respectfully Submitted:

EAST KENTUCKY BROADCASTING CORPORATION

By:



Walter E. May
President